

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-15-1434
07-CR-15-4224

State of Minnesota,

Plaintiff,

COMPLAINT

Order of Detention

vs.

CHRISTOPHER DALE WEERTS DOB: 10/18/1986

149 Panther Lane
Mankato, MN 56001

Defendant.

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Drugs - 5th Degree - Sale - Marijuana Mixture Except Small Amount of Marijuana with No Remuneration

Minnesota Statute: 152.025.1(a)(1)

Maximum Sentence: 5 years and/or \$10,000

Offense Level: Felony

Offense Date (on or about): 10/16/2015

Control #(ICR#): 15032450

Charge Description: Christopher Dale Weerts

On or about October 16, 2015, in the County of Blue Earth, said Defendant, Christopher Dale Weerts did unlawfully sell one or more mixtures containing marijuana or Tetrahydrocannabinols, except a small amount of marijuana for no remuneration.

COUNT II

Charge: Drugs - 5th Degree - Possess Schedule 1,2,3,4 - Not Small Amount Marijuana

Minnesota Statute: 152.025.2(a)(1)

Maximum Sentence: 5 years and/or \$10,000

Offense Level: Felony

Offense Date (on or about): 10/16/2015

Control #(ICR#): 15032450

Charge Description: Christopher Dale Weerts

On or about October 16, 2015, in the County of Blue Earth, said Defendant, Christopher Dale Weerts did unlawfully possess one or more mixtures containing a controlled substance classified in schedule I, II, III, or IV, except a small amount of marijuana.

STATEMENT OF PROBABLE CAUSE

On October 16, 2015, at approximately 2:53 a.m., officers from the Mankato Department of Public Safety were dispatched to the Walmart in Mankato, Blue Earth County, on the report of a drug deal in progress in the parking lot that involved a handgun. Dispatch advised the two vehicles involved were a gray sedan and a black Ford Ranger pickup. Dispatch advised that the vehicles were located near the front of the parking lot on the grocery side of the building and were parked next to each other.

Upon arriving at the scene, due to the report of a gun being involved, officers ordered the occupants out of the car and the pickup. The driver of the car was B.L., and the passenger was Caleb Guy Schultz, D.O.B. 3-30-1996. Schultz was sitting in the rear of the vehicle when officers arrived. Christopher Dale Weerts, D.O.B. 10-18-1986, was in the driver's seat of the pickup. Daniel Schultz was in the passenger seat of the pickup.

Officer Green spoke to the complainants, who stated they observed the Stratus pull up to the Ranger pickup and the passenger of the Stratus got out of the car and walked to the passenger side of the Ranger pickup. The complainant stated that as the male, who she described as having a shaved head, white t-shirt, and blue jeans and was later determined to be Caleb Schultz, exited the Stratus, he shoved an item into his waistband. The complainant stated she observed Schultz walk to the passenger side of the Ranger and conduct what she believed was a drug deal. She also believed she saw Schultz have a handgun.

The second complainant at the scene stated that she also believed she saw Schultz with a handgun. It was later determined that the witnesses likely observed a black knife that Schultz was carrying in his waistband.

Upon arriving at the scene, Officer Vitale took Caleb Schultz into custody and handcuffed him. Officer Vitale conducted a search of Caleb Schultz and did not find a firearm. Officer Vitale did locate a pocketknife in Schultz's left pocket. Officer Vitale also discovered a multi-colored, rubbery container in Caleb Schultz's left front jeans pocket. Caleb Schultz stated there might be marijuana in there. Officer Vitale opened the container and noticed there was a residual amount of a crystalline substance. The substance later field tested positive for the presence of methamphetamine.

Officer Gagnon searched the rear passenger side of the Stratus where Caleb Schultz had been sitting. Officer Gagnon located a large black Smith & Wesson folding knife resting near the floorboard below the front passenger seat where Caleb Schultz's feet had been. Officer Gagnon also found a short, red plastic straw under the seat cushion where Caleb Schultz had been sitting. Officer Gagnon recognized the straw to be consistent with what is commonly referred to as a "snort" tube used for ingesting narcotics. The tube was later field tested and was positive for the presence of methamphetamine.

Officer Gagnon spoke to Daniel Schultz who stated that his brother, Caleb Schultz, is not allowed at his house and that he went with B.L. to meet Caleb Schultz at Walmart to say hi and visit without his family knowing. Daniel Schultz stated that he exited B.L.'s vehicle after a few minutes and got into Weerts' front passenger seat prior to officers' arrival. Daniel Schultz stated, at one point, Weerts had entered the rear passenger seat of the Dodge Stratus; but Daniel Schultz stated he was not aware what his brother, Caleb Schultz, and Weerts were doing.

Daniel Schultz mentioned that Caleb Schultz often carries very large knives on his person similar to the knife Officer Gagnon had discovered on the floorboard where Caleb Schultz had been sitting. Daniel Schultz stated he knew that Weerts had a large jar of marijuana. Daniel Schultz stated, at one point, Weerts removed the marijuana from the tool box located in the bed of the truck.

Officer Reinbold searched the Ranger pickup that Weerts had recently purchased from the current registered owner. Inside of Weerts' pickup, Officer Reinbold found a glass pipe in the center cup holder. He then looked in the center console and found a tan zipper bag and a black Crown Royal bag. Inside the tan bag, there was a small glass jar containing a green leafy substance that looked and smelled like marijuana. Inside the Crown Royal bag, there was a clear glass pipe that had a white residue. The green substance tested positive for marijuana, and the white residue tested positive for methamphetamine.

Upon arriving at the scene, Officer Price helped other officers take the occupants of the vehicle into custody. While doing so, Officer Price observed that Weerts was not complying with his commands and continued to reach under the driver's seat in the pickup. After taking Weerts into custody, Officer Price detected a strong odor of marijuana coming from the vehicle. Upon searching Weerts, Officer Price located a digital scale in Weerts' hooded sweatshirt. The digital scale contained small pieces of a green, leafy substance that Officer Price believed to be marijuana.

While searching the Ranger pickup, Officer Price found a black bag on the floor of the front driver's seat where Weerts was sitting and had been reaching. Inside the bag, Officer Price located a clear glass container that had a large amount of a green, leafy substance inside of it, which tested positive for marijuana. Officer Price also located several clear plastic sandwich bags which Officer Price knows, through his training and experience, are commonly used to package narcotics. In addition there was a package of zip ties and a roll of tape found together. Officer Reinbold noted, from his training and experience, that when these items are found together, they are indicative of narcotics sales.

Officer Reinbold spoke to B.L., who stated she was there with Caleb Schultz and Daniel Schultz. She stated that, at one point, Caleb Schultz got mad at Daniel Schultz. Caleb Schultz got out of the car and tried to talk to Daniel Schultz while Daniel Schultz was in the truck. B.L. stated at one point, Caleb Schultz had his knife out and was pointing it at Daniel Schultz. B.L. stated that Caleb Schultz carries the knife and is known to carry it in the front waistband of his pants. B.L. stated at some point, Weerts got out of the Ranger and took a black bag out of the tool box in the bed of the pickup.

Officer Price read Weerts his Miranda warning, and Weerts agreed to speak to Officer Price. Weerts admitted that the marijuana belonged to him and stated he was "smoking weed with Daniel." Weerts stated at no point was there a sale of marijuana to anyone.

A record check revealed that Caleb Schultz received a disposition for a felony-level offense under Minnesota Statute 152.18, subdivision 1 in court file 07-CR-14-4513 in December 2014.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant	J Knutson Sergeant 710 S Front St Mankato, MN 56001-3803 Badge: 3148	Electronically Signed: 10/16/2015 02:37 PM Blue Earth County, MN
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Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney	Steven Kelm 401 Carver Road PO Box 3129 Mankato, MN 56002 (507) 304-4600	Electronically Signed: 10/16/2015 01:15 PM
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FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on _____, ____ at _____ AM/PM before the above-named court at 401 Carver Rd, Mankato, MN 56002-0347 to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

Execute in MN Only

Execute Nationwide

Execute in Border States

ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$

Conditions of Release:

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: October 16, 2015.

Judicial Officer

Greg Anderson
District Court Judge

Electronically Signed: 10/16/2015 02:41 PM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

COUNTY OF BLUE EARTH
STATE OF MINNESOTA

State of Minnesota

Plaintiff

vs.

CHRISTOPHER DALE WEERTS

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Order of Detention upon the Defendant herein named.

Signature of Authorized Service Agent: